

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

HANS A. QUAACK, ATTILIO PO
and KARL LEIBINGER, on behalf of
themselves and those similarly situated,

Plaintiffs,

v.

DEXIA BANK BELGIUM
(formerly known as ARTESIA BANKING
CORP., SA),

Defendants.

Civil Action No.: 03-11566 (PBS)

STONINGTON PARTNERS, INC., a Delaware
Corporation, STONINGTON CAPITAL
APPRECIATION 1994 FUND L.P., a Delaware
Partnership and STONINGTON HOLDINGS,
L.L.C., a Delaware limited liability company,

Plaintiffs,

v.

DEXIA, S.A. and DEXIA BANK BELGIUM
(formerly known as ARTESIA BANKING
CORP., SA),

Defendants.

Civil Action No.: 04-10411 (PBS)

GARY B. FILLER and LAWRENCE
PERLMAN, Trustees of the TRA Rights Trust,

Plaintiffs,

v.

DEXIA, S.A. and DEXIA BANK BELGIUM
(formerly known as ARTESIA BANKING
CORP., SA),

Defendants.

Civil Action No.: 04-10477 (PBS)

JANET BAKER and JAMES BAKER,
JKBAKER LLC and JMBAKER LLC,

Plaintiffs,

v.

DEXIA, S.A. and DEXIA BANK BELGIUM
(formerly known as ARTESIA BANKING
CORP., SA),

Defendants.

Civil Action No.: 04-10501 (PBS)

DECLARATION OF JEFF E. BUTLER

I, Jeff E. Butler, declare and state as follows:

1. I am an attorney associated with Clifford Chance US LLP, counsel for Defendant Dexia Bank Belgium (“Dexia”), and admitted *pro hac vice* to practice before this Court. I have personal knowledge of the facts set forth herein. I submit this declaration in support of Dexia’s Motion to Strike Additional Letters Rogatory Questions Filed by Plaintiffs.

2. The parties discussed the issues raised in this motion on at least two telephone conferences. In a letter dated September 6, 2006, Plaintiffs categorically refused to withdraw their additional questions and invited Dexia to file a motion.

3. Attached hereto as Exhibit A is a true and correct copy of Plaintiffs’ Opposition to Dexia Bank Belgium’s *De Facto* Cross-Motion for Thirty (30) Days to Prepare Letters Rogatory Examination Questions dated July 7, 2006.

4. Attached hereto as Exhibit B is a true and correct copy of Plaintiffs’ Response to the Notice of Written Questions of Dexia Bank Belgium to be Appended to Request for International Judicial Assistance (Letters Rogatory) dated August 14, 2006.

5. Attached hereto as Exhibit C is a true and correct copy of the Notice of Supplemental Written Questions of Stonington, Filler and Baker Plaintiffs to be Appended to Letters Rogatory dated August 14, 2006. Plaintiffs have moved to file the exhibits to this Notice under seal, and therefore they are not attached to this declaration.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Dated: New York, New York
September 8, 2006

A handwritten signature in black ink, appearing to read "JE Butler", is written above a horizontal line.

Jeff E. Butler